



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/654,301	09/03/2003	Steven J. Ross	GP-303673-OST-ALS	4415
74829	7590	08/05/2010		
Julia Church Dierker			EXAMINER	
Dierker & Associates, P.C.			NGUYEN, CUONG H	
3331 W. Big Beaver Road			ART UNIT	PAPER NUMBER
Suite 109			3661	
Troy, MI 48084-2813				
			MAIL DATE	DELIVERY MODE
			08/05/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b><i>Supplemental Notice of Allowability</i></b>	<b>Application No.</b> 10/654,301	<b>Applicant(s)</b> ROSS ET AL.
	<b>Examiner</b> CUONG H. NGUYEN	<b>Art Unit</b> 3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to a new oath/declaration received on 7/27/2010.

2.  The allowed claim(s) is/are 1-5,8-10,12,14,23-34,26-27; they are renumbered as claims 1-14.

3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftperson's Patent Drawing Review ( PTO-948) attached 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
- 4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
- 5.  Notice of Informal Patent Application
- 6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_\_.

/CUONG H. NGUYEN/  
Primary Examiner, Art Unit 3661

1. This Office Action is an answer to Amendments to the Claims filed on 5/26/2010, and a supplemental Oath/Declaration filed on 7/27/2010.
2. Claims 1-5, 8-10, 12, 14, 23, 24, 26, and 27 remain in the application, wherein claims 1-5, 8-10, and 27 have been withdrawn. The Allowance documents mailed on 6/24/2010, and 7/05/2010 are vacated. The prior restriction/election requirement is withdrawn since restricted claims are rejoined now due to the amendment (5/26/2010).

*Allowable subject matter*

3. Pending claims 1-5, 8-10, 12, 14, 23, 24, 26, and 27 are patentable over two cited references of Matula et al., and Rigo et al., because these prior art do not make obvious a system for providing vehicle settings for a telematics unit in a mobile vehicle, the system comprising:

a call center configured to receive a vehicle settings update signal from the telematics unit; a voice portal configured to provide interaction between the mobile vehicle and an application operating within an application server at the call center to determine a download status of the telematics unit and associated components, wherein the download status is a fixed status requiring the mobile vehicle to maintain a stationary period for a predetermined fixed time period; a database for storing the vehicle settings when the download status of the telematics unit and associated components is negative; and

a modem bank for transmitting the vehicle settings from the call center to the telematics unit when the download status of the telematics unit[[s]] and associated components is positive, wherein if the download status is positive, the mobile vehicle has maintained the stationary position for the predetermined fixed time period, and wherein the transmitted vehicle settings are selected from modifying power train behavior, modifying seat behavior, modifying mirror

behavior, and combinations thereof.

wherein computer codes configured for:

a web portal interface configured to transmit processing a user preference to the call center prior to the call center receiving the vehicle personalization settings update signal; and a voice portal configured to provide the interaction between the mobile vehicle and the application operating within the application server at the call center to determine a store status for the vehicle settings when the download status of the telematics unit and associated components is negative.

*Conclusion*

4. Pending claims are allowed, they are renumbered as claims 1-14.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759 (email address: cuong.nguyen@uspto.gov). The examiner can normally be reached on 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/654,301  
Art Unit: 3661

Page 4

/CUONG H. NGUYEN/  
Primary Examiner  
Art Unit 3661